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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,095	01/06/2004	Kenzou Kassai	4629	2776
21553	7590	01/11/2006	EXAMINER	
FASSE PATENT ATTORNEYS, P.A.			AVERY, BRIDGET D	
P.O. BOX 726			ART UNIT	
HAMPDEN, ME 04444-0726			PAPER NUMBER	

3618

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/753,095	Applicant(s) KASSAI ET AL.	
	Examiner Bridget Avery	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/14/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/6/04 and 8/4/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 5 is objected to because of the following informalities: on line 11, "has" should be changed to –being—or –has been--. Appropriate correction is required.
2. Claim 6 is objected to because of the following informalities: on line 2, "ant" should be changed to –and--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaneko et al. (US Patent 6,533,311).

Kaneko et al. teaches a folding baby carriage folded so as to be reduced in dimension in the width direction, including a pair of seating surface supporting side bars (23) extending back and forth along both sides of a seating surface in order to support the seating surface from beneath, where each seating surface supporting side bar (23) has a rigid integral inward extending portion (clearly shown in Figure 1 adjacent front legs 12) extending toward the inside and capable of supporting the seating surface from beneath. Note, while Kaneko et al. is silent regarding the specifics of the inward extending portion, the seating surface is inherently taught and the inward extending

portions are positioned to receive a seating surface. A distance between the pair of inward extending portions positioned at right and left sides of the baby carriage in the opened state has a dimension corresponding to a distance in which the pair of seating surface supporting side bars approach each other in accordance with a folding operation (applicant's attention is directed to the position of the inward extending portions with respect to the hinges (24a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko et al. ('311) in view of Wang (US Patent 5,820,144).

Kaneko et al. teaches the features described above.

Kaneko et al. lacks the teaching of inward extending portions that extend from a rear portion of the seating surface.

Wang teaches extending portions (formed by member 24) that extend from a rear portion of seating surface supporting side bars (28).

Based on the teachings of Wang, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the carriage of Kaneko et al. by adding extending portions to the rear portion of the seating surface

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supporting side bars to provide additional support to stabilize the seating surface.

Re claim 4, the provision of an extending portion in the shape of a horseshoe represents an obvious change in shape that is well within the level of one of ordinary skill in the art.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onishi (US Patent 5,181,735) in view of Kaneko et al. ('311) and Suga et al. (US Patent 6,964,429).

Onishi teaches a folding baby carriage folded so as to be reduced in dimension in the width direction, including a pair of seating surface supporting side bars (16) extending back and forth along both sides of a seating surface in order to support the seating surface from beneath; a rear leg (6) having a rear wheel (7); an inverting member (8) turn ably connected to the rear leg (6) through a connection pin (9), provided along the rear leg (6) above the connection pin (9) in an opened state, and provided along the rear leg (6) below the connection pin (9) in a folded state.

Onishi lacks the teaching of a rigid inward extending portion extending from the rear of the supporting side bars and toward the inside to support the seating surface and a connection member.

Kaneko et al. teaches the features described above including a rigid inward extending portion.

Suga et al. teaches a connecting member (10) turnably connected to an inverting member and a seating surface supporting side bar fixed to the connection member.

Based on the teachings of Kaneko et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the carriage of Onishi and add a rigid inward extending portion extending rearwardly from the seating surface supporting side bar to provide additional support for the seat.

Based on the teachings of Suga et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to replace the locking mechanism of Onishi to include a connecting member to facilitate folding and locking of the locking mechanism in the folded state.

6. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko et al. ('311) in view of Kato et al. (US Patent 5,201,535).

Kaneko et al. teaches the features described above. Kaneko et al. further teaches a bending link member having a center link and a pair of side link bars.

Kaneko et al. lacks the teaching of a plate-shaped seating surface core forming a seating surface and a belt.

Kato et al. teaches a plate-shaped seating surface core forming a seating surface and a belt.

Based on the teachings of Kato et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify Kaneko et al. and add a plate-shaped seating surface core forming a seating surface and a belt and connect them to the rigid inward extending portions, the seating surface side bars and

the center link to enhance rider comfort and to permit the detachment of the seating surface for cleaning and/or maintenance.

7. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onishi (US Patent 5,181,735), Kaneko et al. ('311) and Suga et al. (US Patent 6,964,429), as applied to claim 1 above, and further in view of Kato et al. ('535).

The combination of Onishi, Kaneko et al. and Suga et al. teaches the features described above. The combination further teaches a bending link member having a center link and a pair of side link bars.

The combination of Onishi, Kaneko et al. and Suga et al. lacks the teaching of a plate-shaped seating surface core forming a seating surface and a belt.

Kato et al. teaches a plate-shaped seating surface core forming a seating surface and a belt.

Based on the teachings of Kato et al., it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the combination by adding a plate-shaped seating surface core forming a seating surface and a belt and connect them to the rigid inward extending portions, the seating surface side bars and the center link to enhance rider comfort and to permit the detachment of the seating surface for cleaning and/or maintenance.

Conclusion

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suga shows a stroller foldable in three.

Lin shows a push cart transferable to a back holder or a chair.

Harper shows a visually appealing versatile rollable and foldable chair.

Durrin shows a convertible jogging stroller and trailer.

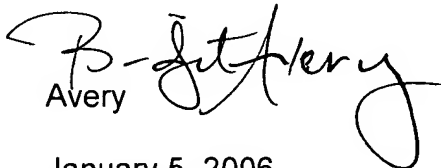
Lin shows a foldable two-wheeled baby stroller.

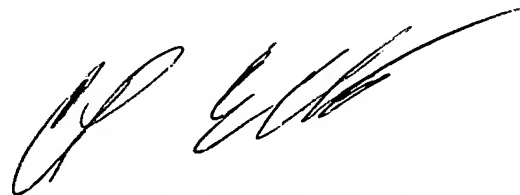
Song et al. shows a child carrier.

Aldus et al. shows a travel-air chair.

Onishi shows a seat for baby carriage.

9. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number 571-272-6691.


Avery
January 5, 2006



CHRISTOPHER D. ELLIS
SUPERVISOR, PATENT EXAMINER
TECHNICAL STAFF